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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

GARY JOE WORTHAM,)	Case No. 1:21-CV-00367-SKO
Plaintiff,)	
v.)	STIPULATION TO VOLUNTARY
KILOLO KIJAKAZI,)	REMAND PURSUANT TO SENTENCE
Acting Commissioner of Social Security,)	FOUR OF 42 U.S.C. § 405(g) AND TO
Defendant.)	ENTRY OF JUDGMENT; ORDER
)	(Doc. 18)
)	
)	

IT IS STIPULATED by and between Plaintiff and Defendant Kilolo Kijakazi, Acting Commissioner of Social Security, through their undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner of Social Security for further administrative proceedings. Plaintiff agrees to destroy Exhibit 1E in the certified record (Administrative Record 218-25), because it belongs to a different person. The parties request that the Court order the removal of Exhibit 1E from the Court's files and dispose of it according to the Court's procedures.

Upon remand, the Office of Hearing Operations will remand the case to an Administrative Law Judge (ALJ) for a new decision and instruct the ALJ to re-evaluate the evidence of record. The parties further request that the Court direct the Clerk of the Court to

Stip. to Remand: 1:21-cv-00367-SKO

1 enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision
2 of the Commissioner.

3 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the
4 Social Security Act, 42 U.S.C. 405(g).

5 Respectfully submitted this 5th day of November 2021.

6
7 Dated: February 25, 2022

/s/Jonathan O. Pena
JONATHAN O. PENA
Attorney for Plaintiff
Authorized via e-mail on February 25, 2022

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10 Dated: February 25, 2022

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14 By: /s/ Linda H. Green
15 LINDA H. GREEN
16 Special Assistant United States Attorney
17 Attorneys for Defendant
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ORDER

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand") (Doc. 18), and for good cause shown, IT IS HEREBY ORDERED that the above-captioned action is REMANDED to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand.

The Clerk of the Court is hereby DIRECTED to: (1) enter judgment in favor of Plaintiff Gary Joe Wortham and against Defendant Kilolo Kijakazi, Acting Commissioner of Social Security; and (2) administratively close this file.

IT IS SO ORDERED.

Dated: **February 28, 2022**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE